

Legislative Bulletin.....January 27, 2004

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H.R. 1385—To extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research

H.R. 3493—Medical Devices Technical Corrections Act

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: (cost estimate unavailable for stamp bill)

Total Amount of Revenue Reductions: 0

Total Increase in Mandatory Spending: 0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

H.R. 1385—To extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research (*Baca*)

Order of Business: The bill is scheduled for consideration on Tuesday, January 27, 2004, under a motion to suspend the rules and pass the bill.

Note: According to the sponsor's office, Rep. Baca plans to amend the bill on the floor with a manager's amendment that will extend the authorization an additional year through 2006.

Summary: H.R. 1385 would again amend 39 U.S.C. 414(h) to extend the Breast Cancer Research Stamp by an additional two years, through 2005. The breast cancer stamp, which Congress first authorized in 1997 (Public Law 105-41, Stamp Out Breast Cancer Act, H.R. 1585), costs \$0.45, instead of the normal \$0.37, with the additional \$0.08 for breast cancer research. The authorization was due to expire at the end of 2003, but a provision included in the Omnibus Appropriations bill (H.R. 2673) signed by the President on Friday, January 23,

2004, extended the stamp until 2005. In other words, the two-year extension in H.R. 1385 has already been accomplished through enactment of the Omnibus bill on Friday.

The text of H.R. 1385:

“Section 414(h) of title 39, United States Code, is amended by striking ‘2003’ and inserting ‘2005’.”

The text of the provision signed into law in the Omnibus:

“SEC. 541. Section 414(h) of title 39, United States Code, is amended by striking ‘2003’ and inserting ‘2005’.”

Additional Information: The Department of Defense (DoD) and the National Institutes of Health (NIH) are the two recipients of the proceeds, with DoD allocated 30% of the proceeds. As of January 2003, DoD’s Breast Cancer Research Program (through the U.S. Army Medical Research and Materiel Command) has been the recipient of over \$7 million from the stamp proceeds. (Note: In addition to funds from the stamp, Congress has appropriated \$1.52 billion through FY03 to the BCRP). According to one breast cancer coalition, the Breast Cancer Research Stamp has generated over \$34.5 million for breast cancer research.

Committee Action: The bill was introduced on March 20, 2003 and jointly referred to the Committees on Government Reform, on Energy and Commerce, and Armed Services. None of the three committees considered the bill.

Cost to Taxpayers: A CBO cost estimate of H.R. 1385 is unavailable.

Does the Bill Create New Federal Programs or Rules?: The bill extends the Breast Cancer Research Stamp for an additional two years, though this exact extension was signed into law on Friday, January 22, 2004. If the manager’s amendment is adopted, the authorization will extend beyond current law through 2006.

Constitutional Authority: A Committee report citing authority is unavailable.

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H.R. 3493—Medical Devices Technical Corrections Act (Greenwood)

Order of Business: The bill is scheduled to be considered on Tuesday, January 27th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3493 would make technical and clarifying corrections to the Medical Device User Fee and Modernization Act of 2002 (H.R. 5651; Public Law 107-250). This law established a user fee program for the federal regulation of medical devices. H.R. 3493 leaves the underlying substance of the program unchanged.

Additional Background: To read the RSC Legislative Bulletin on H.R. 3580 from the 107th Congress—a very similar bill to H.R. 5651 (which became Public Law 107-250), visit this webpage: <http://johnshadegg.house.gov/rsc/Lb10902.pdf>

Committee Action: The bill was referred to the Energy & Commerce Committee on November 17, 2003, but was not considered.

Cost to Taxpayers: There is no indication that anything in H.R. 3493 would yield a cost to taxpayers. CBO confirmed that any effect on revenues would be negligible.

Does the Bill Create New Federal Programs or Rules?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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